



CITY OF HAYWARD

AGENDA REPORT

AGENDA DATE 07/08/03

AGENDA ITEM 4

WORK SESSION ITEM _____

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Summary Vacation of a Portion of Eden Landing Road, Mohr Drive, and Second Street

RECOMMENDATION:

It is recommended that the City Council adopt the attached resolutions that summarily vacate portions of Eden Landing Road, Mohr Drive, and Second Street.

DISCUSSION OR BACKGROUND:

The East Bay Regional Park District (EBRPD) has requested that we summarily vacate that portion of Eden Landing Road as shown on Exhibit B1. This portion of Eden Landing Road has never been improved nor used as a public highway. This portion has been barricaded at the southerly right of way line of Old Arden Road, which was vacated in 1981 by Resolution. There are various utilities that pass through the proposed right of way to be vacated. These utilities include a 12" water line ending in the northerly portion of the area providing a water service to the adjacent State parcel; a 42" force main for storm water drainage; and a 39" sanitary sewer line that crosses the northern end of the parcel to be vacated. There is also an electric transmission line crossing the northerly end of the parcel. Easements will be retained for these existing utilities.

Upon vacation, the ownership will revert to the owner of the adjacent property, which is the State of California. The State of California is leasing portions of their land to the EBRPD. The EBRPD is proposing to use the vacated parcel as a part of their parking and staging area for continuation of the San Francisco Bay Trail. With the completion of the Highway 92 pedestrian over-crossing and the vacation of this portion of Eden Landing Road, an additional four miles of trail can be completed.

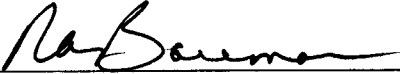
The owners of the parcel of land located at 24921 Mohr Drive, Mr. and Mrs. Tsai, have requested that a portion of their property frontage, which they had previously granted to the County of Alameda prior to annexation by the City of Hayward, be vacated. This grant was for an ultimate right of way width of 68 feet. The 68-foot-wide right of way was to accommodate a street width of 48 feet, curb to curb. Subsequent to the acquisition, the City determined and implemented a width of 36 feet, curb to curb.

The approval of this vacation would return a portion of the grant from Mr. & Mrs. Tsai back to them. A portion of the grant would remain street right of way in order to accommodate a curve in the right of way rather than return to the old right of way, which had an angle in it. This is shown on Exhibit B2. The property owner is now constructing new curb, gutter, and sidewalk along their frontage. There are no existing utilities within the portion of right of way to be vacated.

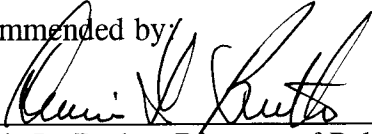
The owner of the parcel at 24431 Second Street, Mr. Jim Jensen, was required to dedicate a 4.5-foot strip of land along Second Street in 1992 when he subdivided his property. The right of way width of Second Street is currently 58 feet. There are no plans to widen this street from its current width; thus the 4.5-foot-wide dedication is no longer required for street purposes.

The approval of this vacation would return the 4.5-foot-wide dedication back to Mr. Jim Jensen. The relinquishment of abutter's rights currently in place along the Second Street frontage would still remain along the new street frontage, as shown on the Exhibit B3. The property owner has applied for a building permit for a new home on this parcel, and the additional 4.5 feet would allow him to place the house 4.5 feet closer to the existing street, thus saving a 12-inch diameter tree at the back of the property. There are no existing utilities within the portion of right of way to be vacated.

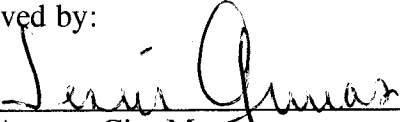
Prepared by:


Robert A. Bauman, Deputy Director of Public Works

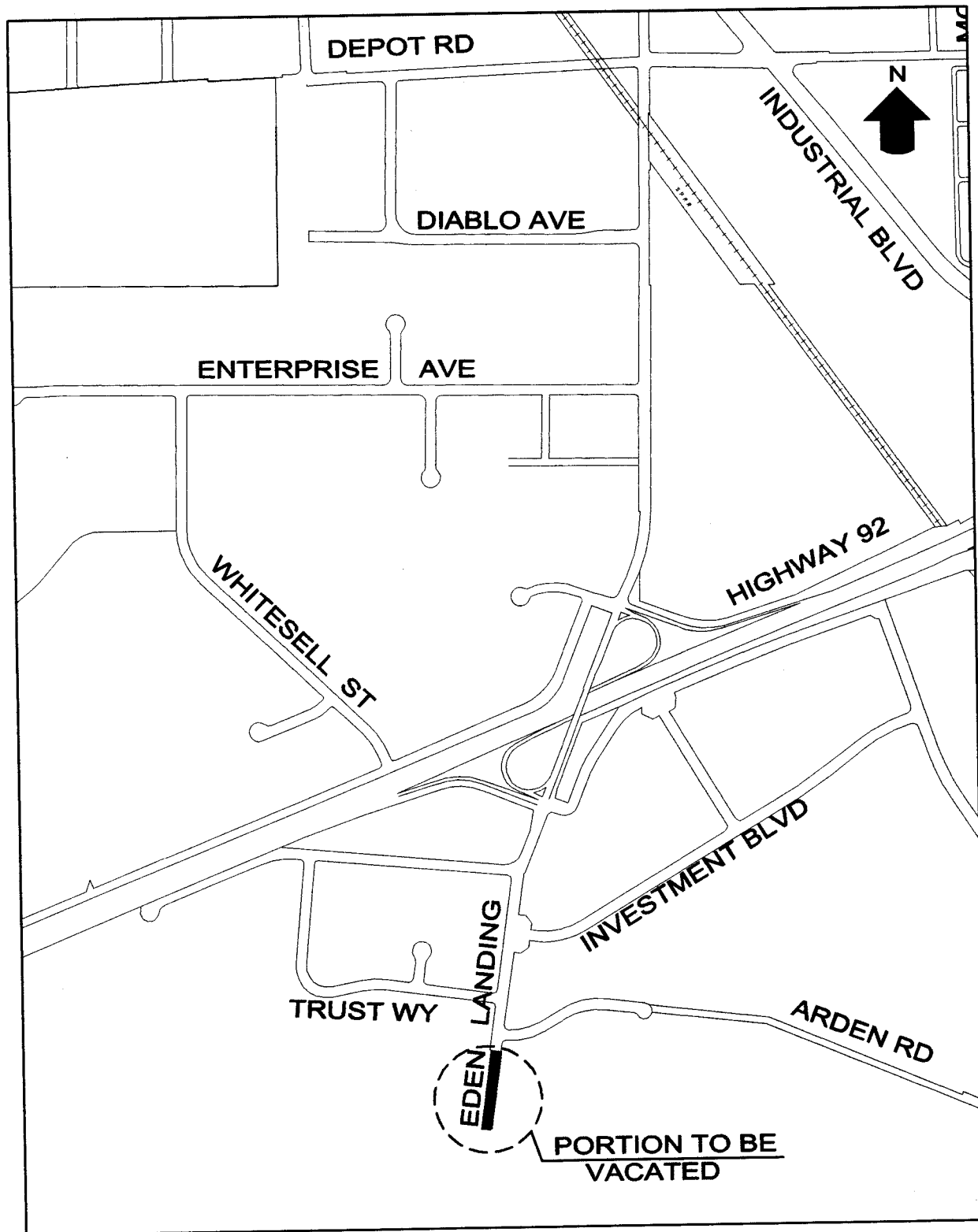
Recommended by:


Dennis L. Butler, Director of Public Works

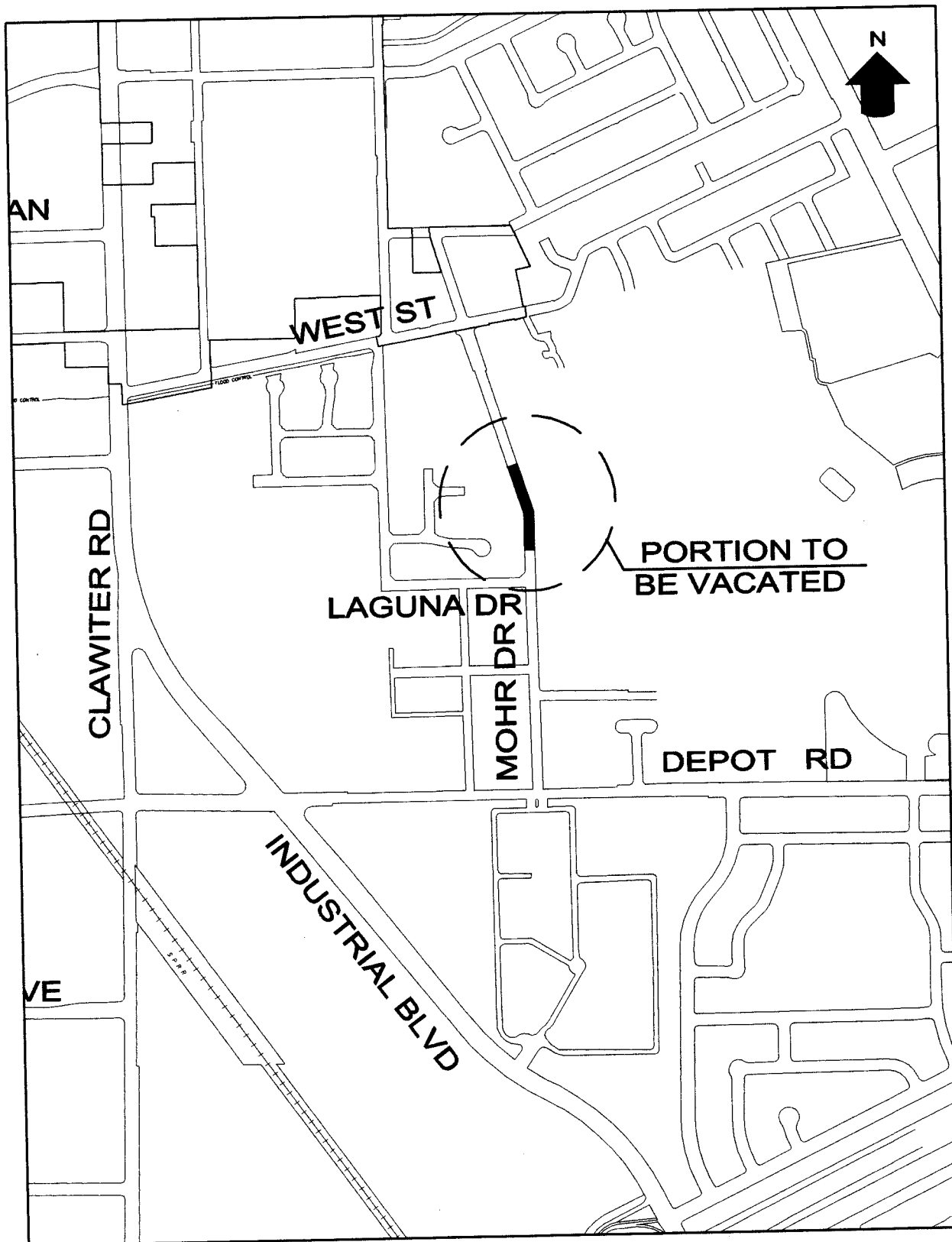
Approved by:


Jesús Armas, City Manager

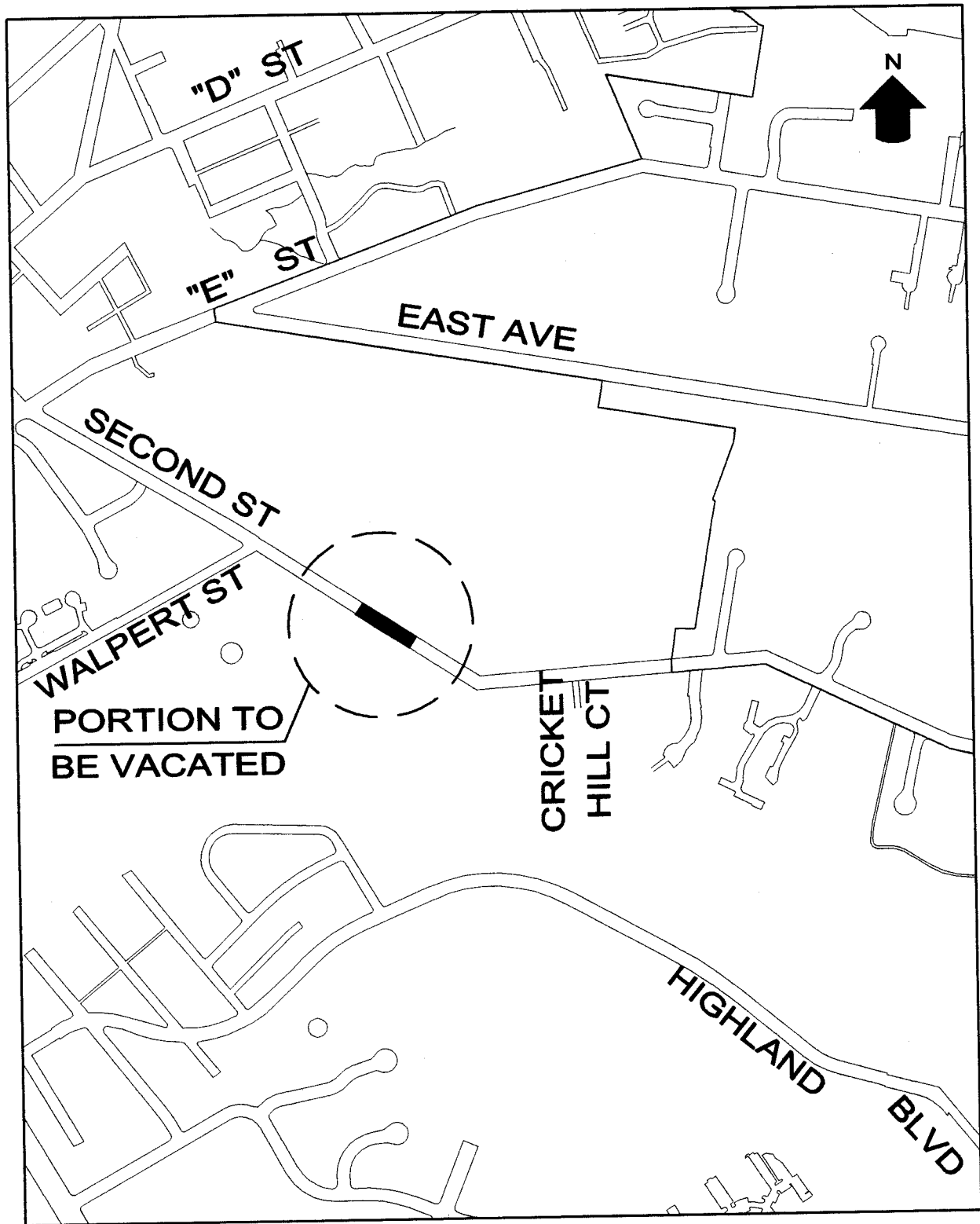
Attachments: Exhibit A: Vicinity Maps
Exhibit B: Plats



VICINITY MAP



VICINITY MAP



VICINITY MAP

TRACT 4019
BK. 110 MAPS PGS. 97-99

N 78°45'33" W
55.42

S 08°06'44" W - 6.97
S 81°53'16" E - 15.84

S 08°06'44" W - 473.19

EDEN LANDING ROAD

N 08°06'44" E - 427.07

S 81°53'16" E - 50.16

N 08°06'44" E - 49.55
POINT OF BEGINNING
SOUTHWEST CORNER PARCEL 2
PARCEL MAP 3526

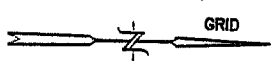
N 79°06'38" W - 10.67

BK. 131 MAPS PGS. 27 & 28
PARCEL MAP 3526

PARCEL MAP 1042
BK. 79 PARCEL MAPS PGS. 99 & 100

PLAT TO ACCOMPANY
LEGAL DESCRIPTION
EDEN LANDING ROAD
LANDS OF THE CITY OF HAYWARD

SCALE: 1" = 80'

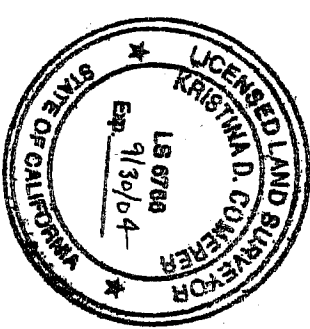


SURVEYOR'S STATEMENT

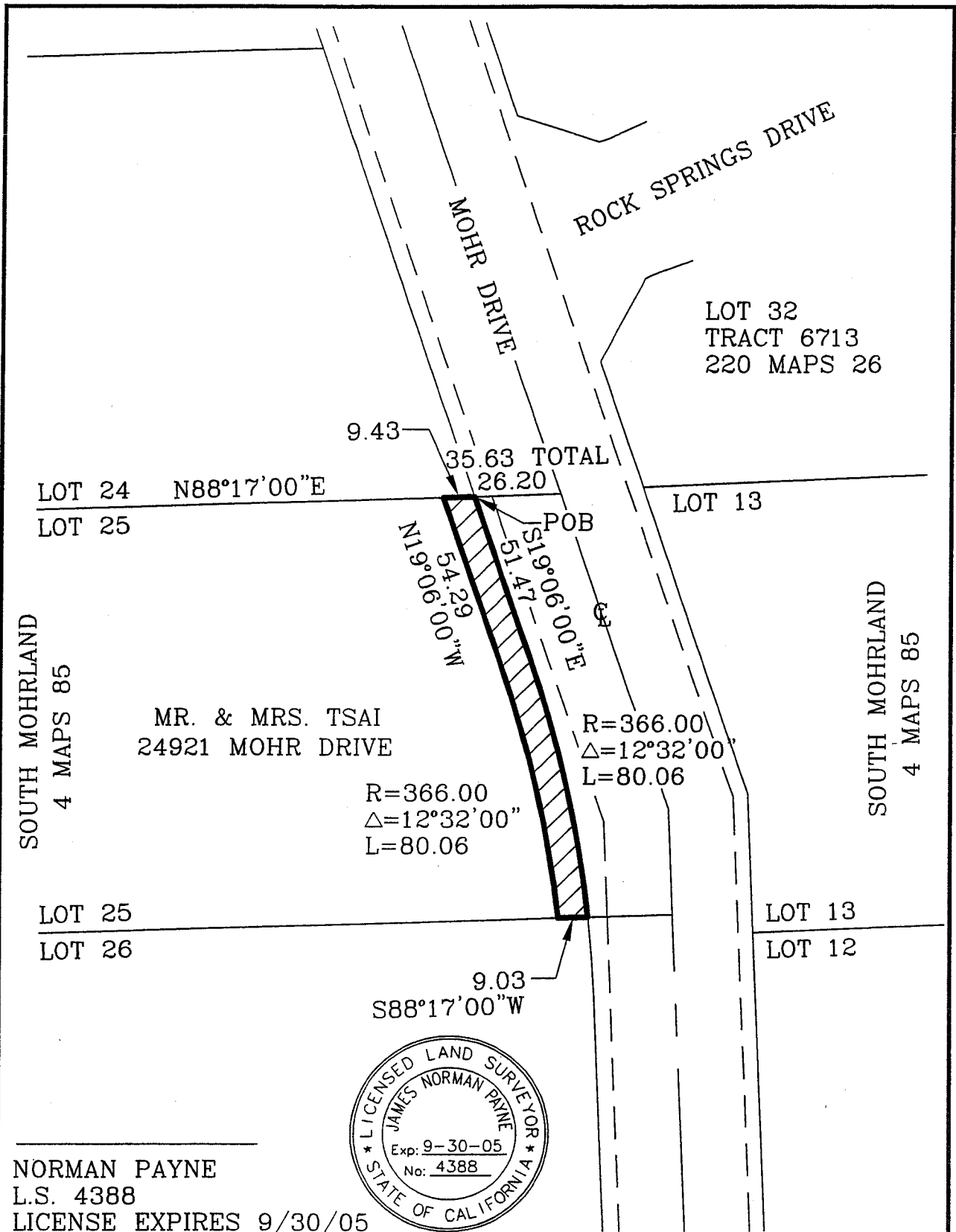
THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE LAND SURVEYORS' ACT AT THE REQUEST OF DEXTER YEE, EAST BAY REGIONAL PARK DISTRICT, IN NOVEMBER 2002.

Kristina D. Comer

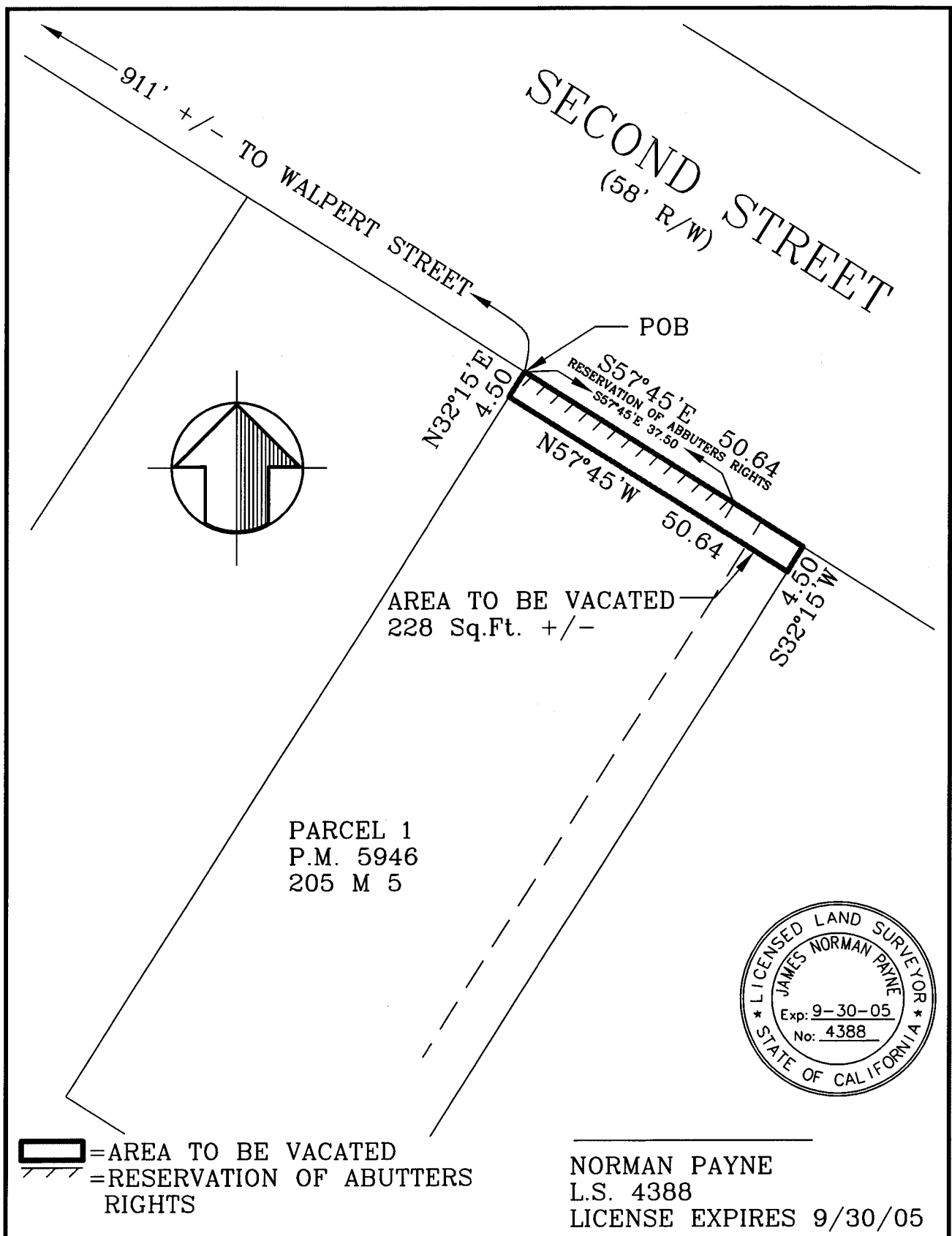
KRISTINA D. COMER, PLS 6766
LICENSE EXPIRES: September 30, 2004



CROSS LAND SURVEYING, INC.
2210 MT. PLEASANT ROAD
SAN JOSE, CA 95148
(408) 274-7994
PROJECT NO. 01-77



| | | | | | |
|--|------|----|---|-------------------|--|
| <div> <div>CITY OF HAYWARD ENGINEERING DIVISION</div> <div> <div>DRAWN BY: JNP</div> <div>DATE 6-06-03</div> </div> <div> <div>CHECKED BY: JNP</div> <div>SCALE: 1"=30'</div> </div> <div> <div>APPD. BY</div> <div>APPROVED</div> </div> </div> | | | <div>VACATION PORTION OF MOHR DRIVE</div> | DWG. NO. 03015 | |
| | | | | FILED | |
| | | | | SHT. 1 of 1 | |
| | | | | | |
| REV | DATE | BY | CITY ENGINEER | DIR. PUBLIC WORKS | |



| | | | | | |
|---|------|-----------------|---------------|--|----------------|
| CITY OF HAYWARD ENGINEERING DIVISION | | | | VACATION OF PORTION OF SECOND STREET 24431 SECOND STREET | DWG. NO. 03016 |
| | | DRAWN BY: JNP | DATE 6-16-03 | | FILED |
| | | CHECKED BY: JNP | SCALE: 1"=20' | | |
| | | APPD. BY | APPROVED | | |
| REV | DATE | BY | CITY ENGINEER | DIR. PUBLIC WORKS | SHT. 1 OF 1 |

DRAFT 12/4/03

HAYWARD CITY COUNCIL

RESOLUTION NO. 03-

Introduced by Council Member _____

RESOLUTION SUMMARILY VACATING A PORTION OF
EDEN LANDING ROAD

WHEREAS, the East Bay Regional Park District (EBRPD) has requested that the City summarily vacate that portion of Eden Landing Road which will revert back to the abutting property owner, the State of California. Upon vacation, EBRPD proposes to lease the vacant parcel from the State of California as a part of their parking and staging area for continuation of the San Francisco Bay Trail; and

WHEREAS, the Director of Public Works has advised that this portion of Eden Landing Road, established as Country Road No. 2499, has never been improved or used as a public right of way and is not needed for City street purposes; and

WHEREAS, the City reserves public utilities, storm drain, water and sewer easements within the highway to be vacated.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that, pursuant to California Streets and Highways Code section 8334(a), it is hereby ordered that the portion of Eden Landing Road as described in Exhibit "A" attached hereto and made a part hereof, is hereby vacated and the City Clerk is authorized and directed to cause a certified copy of this resolution to be recorded in the office of the County Recorder of Alameda.

BE IT FURTHER RESOLVED, that the City reserves public utilities, storm drain, water and sewer easements within the right of way to be vacated.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2003

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

DRAFT PA 4/29/03

HAYWARD CITY COUNCIL

RESOLUTION NO. 03-

Introduced by Council Member _____

**RESOLUTION SUMMARILY VACATING A PORTION OF
THE PROPERTY FRONTAGE AT 24921 MOHR DRIVE**

WHEREAS, the owners of the parcel of land located at 24921 Mohr Drive, have requested that the City vacate a portion of their property frontage, which they had previously granted to the County of Alameda prior to annexation by the City of Hayward, be vacated; and

WHEREAS, the Director of Public Works has advised that the City has implemented a street width of 36 feet within the existing right of way, and this portion of Mohr Drive, established as Country Road No. 7756, is no longer needed for City street purposes;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that, pursuant to California Streets and Highways Code section 8334(a), it is hereby ordered that the portion of Mohr Drive as described in Exhibit "A" attached hereto and made a part hereof, is hereby vacated and the City Clerk is authorized and directed to cause a certified copy of this resolution to be recorded in the office of the County Recorder of Alameda.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2003

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

DRAFT

HAYWARD CITY COUNCIL

RESOLUTION NO. 03-

Introduced by Council Member _____

RESOLUTION SUMMARILY VACATING A 4.5 FOOT STRIP
OF LAND ABUTTING 24431 SECOND STREET

WHEREAS, the owner of the parcel of land located at 24431 Second Street, has requested the vacation of a 4.5 foot strip of land which was dedicated in 1992 with the subdivision of Parcel Map No. 5946; and

WHEREAS, the Director of Public Works has advised that there are no plans to widen this street from its current width of 58 feet and this 4.5 foot strip of land is no longer required for City street purposes, and that the relinquishment of rights along 42.5' of frontage on Second Street can be reduced to 37.5' after relinquishment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that, pursuant to California Streets and Highways Code section 8334(a), it is hereby ordered that the portion of Second Street as described in Exhibit "A" attached hereto and made a part hereof, is hereby vacated and the City Clerk is authorized and directed to cause a certified copy of this resolution to be recorded in the office of the County Recorder of Alameda.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2003

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward